



# WETLANDS PROTECTION

## ZONES AFFECTED:

All zones, whether residential or non-residential, must comply to wetlands regulations.

### Residential

R-12  
R-20  
R-40  
RM-6  
RM-8  
RM-10  
RM-12  
RM-20

### Non-Residential

O  
B-1  
B-2  
B-3  
B-4  
B-5  
I-1  
I-2  
I-4  
ETP

### Mixed Use

CWD  
UMUD

## For More Information:

Department of Planning and  
Community Development  
288 Central Ave.  
Dover, NH 03820  
(603) 516-6008

## Building around Wetlands in Dover

### Protection District:

The Wetlands Protection District (District) is all areas of wetlands as defined by New Hampshire Administrative Rule Wt 101.88, which states a "Wetland" means an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs and areas where the tide ebbs and flows."

### General Provisions:

Any construction altering the surface configuration of the land, shall be set back at least fifty (50) feet from a Wetland Protection District. The Planning Board may approve construction within this fifty (50) setback

area by conditional use.

No septic tank or leach field may be constructed or enlarged closer than seventy-five (75) feet to any District. In new subdivisions approved subsequent to adoption of the ordinance, there must be sufficient lot size to place a house, a state-approved septic system, where applicable, and a state-approved well, where applicable, without locating them in a wetland. This provision can be waived if a conditional use approval is obtained from the Planning Board.

A state dredge and fill application shall be submitted for any proposed change to a wetland (RSA 483-A).

### Exemptions:

The construction of additions and/or extensions to one- and two-family dwellings shall be permitted within the District or set back, provided that: the dwelling(s) lawfully existed prior to the effective date of

this section.

A new one- or two-family dwelling shall be permitted in the District or set back, on an existing lot, provided that the lot for which an approval/permit is sought was an official lot of record prior to the date on which this amendment was posted and published in the city.

Furthermore, it needs to be demonstrated that the structure for which the approval/permit is sought cannot be feasibly built on an upland portion of the lot or that no other reasonable and economically viable use of the lot can be made without the exemption.

All exemption requests must show that the design and construction of the proposed use will be done in a manner which minimizes the impacts on the affected wetland.

## PURPOSE OF THE WETLANDS ORDINANCE

- Prevent the development of structures and land uses on wetlands, which will contribute to pollution of surface and ground water by sewerage, toxic substances or sedimentation.
- Prevent the destruction of, or significant changes to, wetlands which provide flood protection, recharge the groundwater supply and augment stream flow during dry periods and filtration of water flowing into ponds and streams.
- Protect wildlife habitats, maintain ecological balances and enhance ecological values.
- Protect potential water supplies and existing aquifers and recharge areas.